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SUBJECT: GOSS LEGISLATIVE ASSEMBLY

¶1. (SBU) On February 1 the Consul General and the visiting DCM hosted a lunch for four members of the South Sudan Legislative Assembly (SSLA), including Peter Deshir, Chair of the Information and Culture Committee, Agnes Lasuba, Chair of the Peace and Reconciliation Committee, Prof Barry Wanja, Chair of the Economic Committee, and Martin Tako on the Gender, Social Welfare Committee.

¶2. (SBU) The mood of the legislators concerning the CPA was generally pessimistic. Distrust of the NCP's intentions runs deep in the South, and they expressed little confidence that the elections scheduled for 2009 would come off as planned. In their view, there was little incentive on the part of the NCP to follow through on a path that would probably lead to their loss of power. On one point they were firm, however: that the 2011 referendum on southern independence must take place and on time. Anything the NCP did to delay or cancel that event would almost certainly lead to a resumption of armed conflict. In their view, separation would be the inevitable result of the referendum. There was simply too much bitterness and distrust between the North and the South, aggravated by what they saw as a continued lack of commitment by Khartoum to adhere to the CPA. International pressure was what forced the NCP to sign the peace agreement, and only continued international pressure had any hope of forcing its continued implementation.

¶3. (SBU) CG asked how likely it was that we would see the kind of ethnic conflict in an independent southern Sudan that we are witnessing in Kenya and that so often erupts in Africa. The legislators agreed that the potential exists, but felt that the SPLM as a political movement, at least for the next several years, was strong enough in the South to unite the people whatever their ethnic affiliation. The danger was from unscrupulous politicians who in the future might stir up ethnic conflict as a means of personal advancement at the expense of the national welfare. They praised President Kiir for his careful attention to maintaining a balanced ethnic representation in his government. The decision to hold the recent CPA anniversary celebrations in the city of Wau instead of in Juba was also cited as part of a continuing effort to make all of southern Sudan feel part of a united whole, an effort they were confident would continue.

¶4. (SBU) CG then asked the legislators about Assembly relations with the executive branch of government, noting that Kiir had recently promulgated several key new laws by executive decree, bypassing the Legislative Assembly. The CG had seen this kind of thing in other countries, and it almost always led to the weakening, and eventual marginalization, of the legislative branch of government, breaking down any check on executive power. The legislators agreed that did often happen, but felt it was not a problem for them because under the system they have in place all executive decrees must be ratified by the South Sudan Legislative Assembly when it next met. Therefore unacceptable decrees had only an interim effect and could be voted down by the Assembly.

¶5. (SBU) The legislators said their biggest problem is lack of experience and resources. In particular, they have little research capacity - which would be of enormous help in drafting laws and

learning how to conduct their affairs. They have a library, but no books and only a few computers. They appealed to the USG to help them in this regard, and the CG promised to see what could be done.

16. (SBU) Comment: Strengthening the capacity of the South Sudan Legislative Assembly is a wise investment in the future of democratic development in the south. Without an effective legislative branch of government, the tendency for the executive to assert supreme control over the government is a real temptation. We will explore ways to assist the assembly.

FERNANDEZ